

REFERENCE TITLE: empowerment scholarship accounts; revisions

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SB 1281

Introduced by

Senators Smith: Allen S, Barto, Borrelli, Burges, Fann, Farnsworth D,
Kavanagh, Lesko, Petersen; Representatives Allen J, Bowers, Boyer, Cook,
Finchem, Lawrence, Leach, Livingston, Nutt, Payne, Stringer, Townsend

AN ACT

AMENDING SECTIONS 15-2401, 15-2402 AND 15-2403, ARIZONA REVISED STATUTES;
RELATING TO ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-2401, Arizona Revised Statutes, is amended to
3 read:

4 15-2401. Definitions

5 In this chapter, unless the context otherwise requires:

6 ~~1. "Annual education plan" means an initial individualized~~
7 ~~evaluation and subsequent annual reviews that are developed for a~~
8 ~~qualified student who meets the criteria specified in paragraph 7,~~
9 ~~subdivision (a), item (i), (ii) or (iii) of this section to determine~~
10 ~~ongoing annual eligibility through the school year in which the qualified~~
11 ~~student reaches twenty-two years of age and whether the student may be~~
12 ~~eligible pursuant to section 36-2981 and should be referred for~~
13 ~~eligibility determination.~~

14 ~~2.~~ 1. "Curriculum" means a complete course of study for content
15 areas or grade levels, including any supplemental materials required by
16 the curriculum, approved by the department.

17 ~~3.~~ 2. "Department" means the department of education.

18 ~~4.~~ 3. "Eligible postsecondary institution" means a community
19 college as defined in section 15-1401, a university under the jurisdiction
20 of the Arizona board of regents or an accredited private postsecondary
21 institution.

22 ~~5.~~ 4. "Parent" means a resident of this state who is the parent or
23 legal guardian of a qualified student.

24 ~~6.~~ 5. "Qualified school" means a nongovernmental primary or
25 secondary school or a preschool for pupils with disabilities that is
26 located in this state and that does not discriminate on the basis of race,
27 color or national origin.

28 ~~7.~~ 6. "Qualified student" means a resident of this state who:

29 (a) Is any of the following:

30 (i) Identified as having a disability under section 504 of the
31 rehabilitation act of 1973 (29 United States Code section 794).

32 (ii) Identified by a school district or by an independent third
33 party pursuant to section 15-2403, subsection I as a child with a
34 disability as defined in section 15-731 or 15-761.

35 (iii) A child with a disability who is eligible to receive services
36 from a school district under section 15-763.

37 (iv) Attending a school or school district that has been assigned a
38 letter grade of D or F pursuant to section 15-241 or who is currently
39 eligible to attend kindergarten and who resides within the attendance
40 boundary of a school OR SCHOOL DISTRICT that has been assigned a letter
41 grade of D or F pursuant to section 15-241.

42 (v) A previous recipient of a scholarship issued pursuant to
43 section 15-891 or this section, unless the qualified student's parent has
44 been removed from eligibility in the program for failure to comply
45 pursuant to section 15-2403, subsection C.

1 (vi) A child of a parent who is a member of the armed forces of the
2 United States and who is on active duty or was killed in the line of duty.
3 A child who meets the requirements of this item is not subject to
4 subdivision (b) of this paragraph.

5 (vii) A child who is a ward of the juvenile court and who is
6 residing with a prospective permanent placement pursuant to section 8-862
7 and the case plan is adoption or permanent guardianship.

8 (viii) A child who was a ward of the juvenile court and who
9 achieved permanency through adoption or permanent guardianship.

10 (ix) A child who is the sibling of a current or previous
11 empowerment scholarship account recipient or of an eligible qualified
12 student who accepts the terms of and enrolls in ~~the~~ AN empowerment
13 scholarship ~~program~~ ACCOUNT.

14 (x) A child who resides within the boundaries of an Indian
15 reservation in this state as determined by the department of education or
16 a tribal government.

17 (xi) A child of a parent who is legally blind ~~pursuant to section~~
18 ~~41-1973, subsection C~~ or deaf or hard of hearing ~~pursuant to~~ AS DEFINED IN
19 section 36-1941.

20 (b) And, except as provided in subdivision (a), item (vi) of this
21 paragraph, who meets any of the following requirements:

22 (i) Attended a governmental primary or secondary school as a
23 full-time student as defined in section 15-901 for at least ~~the first~~ one
24 hundred days of the prior fiscal year and who transferred from a
25 governmental primary or secondary school under a contract to participate
26 in an empowerment scholarship account. First, second and third grade
27 students who are enrolled in Arizona online instruction must receive four
28 hundred hours of logged instruction to be eligible pursuant to this item.
29 Fourth, fifth and sixth grade students who are enrolled in Arizona online
30 instruction must receive five hundred hours of logged instruction to be
31 eligible pursuant to this item. Seventh and eighth grade students who are
32 enrolled in Arizona online instruction must receive five hundred fifty
33 hours of logged instruction to be eligible pursuant to this item. High
34 school students who are enrolled in Arizona online instruction must
35 receive five hundred hours of logged instruction to be eligible pursuant
36 to this item.

37 (ii) Previously participated in ~~the~~ AN empowerment scholarship
38 account ~~program~~.

39 (iii) Received a scholarship under section 43-1505 and who
40 continues to attend a qualified school if the student attended a
41 governmental primary or secondary school as a full-time student as defined
42 in section 15-901 for at least ninety days of the prior fiscal year or one
43 full semester prior to attending a qualified school.

1 (iv) Was eligible for an Arizona scholarship for pupils with
2 disabilities and received monies from a school tuition organization
3 pursuant to section 43-1505 or received an Arizona scholarship for pupils
4 with disabilities but did not receive monies from a school tuition
5 organization pursuant to section 43-1505 and who continues to attend a
6 qualified school ~~if the student attended a governmental primary or~~
7 ~~secondary school as a full-time student as defined in section 15-901 for~~
8 ~~at least ninety days of the prior fiscal year or one full semester prior~~
9 ~~to attending a qualified school.~~

10 (v) Has not previously attended a governmental primary or secondary
11 school but is currently eligible to enroll in a kindergarten program in a
12 school district or charter school in this state or attended a program for
13 preschool children with disabilities.

14 (vi) Has not previously attended a governmental primary or
15 secondary school but is currently eligible to enroll in a program for
16 preschool children with disabilities in this state. **FOR THE PURPOSES OF**
17 **THIS ITEM, A CHILD IS ELIGIBLE TO ENROLL IN A KINDERGARTEN PROGRAM IF THE**
18 **CHILD IS UNDER SEVEN YEARS OF AGE.**

19 ~~8.~~ 7. "Treasurer" means the office of the state treasurer.

20 Sec. 2. Section 15-2402, Arizona Revised Statutes, is amended to
21 read:

22 15-2402. Arizona empowerment scholarship accounts; funds

23 A. Arizona empowerment scholarship accounts are established to
24 provide options for the education of students in this state.

25 B. To enroll a qualified student for an empowerment scholarship
26 account, the parent of the qualified student must sign an agreement to do
27 all of the following:

28 1. Use a portion of the empowerment scholarship account monies
29 allocated annually to provide an education for the qualified student in at
30 least the subjects of reading, grammar, mathematics, social studies and
31 science, unless the empowerment scholarship account is allocated monies
32 according to a transfer schedule other than quarterly transfers pursuant
33 to section 15-2403, subsection F.

34 2. Not enroll the qualified student in a school district or charter
35 school and release the school district from all obligations to educate the
36 qualified student. This paragraph does not relieve the school district or
37 charter school that the qualified student previously attended from the
38 obligation to conduct an evaluation pursuant to section 15-766.

39 3. Not accept a scholarship from a school tuition organization
40 pursuant to title 43 concurrently with an empowerment scholarship account
41 for the qualified student ~~in~~ **DURING** the same ~~year a parent signs the~~
42 ~~agreement pursuant to this section~~ **TIME THAT THE QUALIFIED STUDENT IS**
43 **ACTIVELY ENROLLED IN AN EMPOWERMENT SCHOLARSHIP ACCOUNT. THE DEPARTMENT**
44 **MAY ASK A QUALIFIED SCHOOL TO PROVIDE CONFIRMATION THAT A STUDENT IS IN**
45 **COMPLIANCE WITH THIS PARAGRAPH.**

1 4. Use the money deposited in the qualified student's Arizona
2 empowerment scholarship account only for the following expenses of the
3 qualified student:

4 (a) Tuition or fees at a qualified school.

5 (b) Textbooks required by a qualified school.

6 (c) If the qualified student meets any of the criteria specified in
7 section 15-2401, paragraph 6, subdivision (a), item (i), (ii) or (iii) as
8 determined by a school district or by an independent third party pursuant
9 to section 15-2403, subsection I, the qualified student may use the
10 following additional services:

11 (i) Educational therapies from a licensed or accredited
12 practitioner or provider.

13 (ii) A licensed or accredited paraprofessional or educational aide.

14 (iii) Tuition for vocational and life skills education approved by
15 the department.

16 (iv) Associated services that include educational and psychological
17 evaluations, assistive technology rentals and braille translation services
18 approved by the department.

19 (d) Tutoring or teaching services provided by an individual or
20 facility accredited by a state, regional or national accrediting
21 organization.

22 (e) Curricula.

23 (f) Tuition or fees for a nonpublic online learning program.

24 (g) Fees for a nationally standardized norm-referenced achievement
25 test, an advanced placement examination or any exams related to college or
26 university admission.

27 (h) Contributions, **NOT TO EXCEED TWO THOUSAND DOLLARS EACH YEAR**, to
28 a Coverdell education savings account established pursuant to 26 United
29 States Code section 530 **OR AN EDUCATION SAVINGS ACCOUNT ESTABLISHED**
30 **PURSUANT TO 26 UNITED STATES CODE SECTION 529** for the benefit of the
31 qualified student, except that money used for elementary or secondary
32 education expenses must be for expenses otherwise allowed under this
33 section.

34 (i) Tuition or fees at an eligible postsecondary institution.

35 (j) Textbooks required by an eligible postsecondary institution.

36 (k) Fees for management of the empowerment scholarship account.

37 (l) Services provided by a public school, including individual
38 classes and extracurricular programs.

39 (m) Insurance or surety bond payments.

40 (n) Uniforms purchased from or through a qualified school.

41 ~~(o) Beginning January 1, 2017, if the qualified student meets the~~
42 ~~criteria specified in section 15-2401, paragraph 7, subdivision (a), item~~
43 ~~(i), (ii) or (iii) and if the qualified student is in the second year~~
44 ~~prior to the final year of a contract executed pursuant to this article,~~
45 ~~costs associated with an annual education plan conducted by an independent~~

~~1 evaluation team. The department shall prescribe minimum qualifications
2 for independent evaluation teams pursuant to this subdivision and factors
3 that teams must use to determine whether the qualified student shall be
4 eligible to continue to receive monies pursuant to this article through
5 the school year in which the qualified student reaches twenty-two years of
6 age. An independent evaluation team that provides an annual education
7 plan pursuant to this subdivision shall submit a written report that
8 summarizes the results of the evaluation to the parent of the qualified
9 student and to the department on or before July 31. The written report
10 submitted by the independent evaluation team is valid for one year. If
11 the department determines that the qualified student meets the eligibility
12 criteria prescribed in the annual education plan, the qualified student is
13 eligible to continue to receive monies pursuant to this article until the
14 qualified student reaches twenty-two years of age, subject to annual
15 review. A parent may appeal the department's decision pursuant to title
16 41, chapter 6, article 10. As an addendum to a qualified student's
17 final-year contract, the department shall provide the following written
18 information to the parent of the qualified student:~~

~~19 (i) That the qualified student will not be eligible to continue to
20 receive monies pursuant to this article unless the results of an annual
21 education plan conducted pursuant to this subdivision demonstrate that the
22 qualified student meets the eligibility criteria prescribed in the annual
23 education plan.~~

~~24 (ii) That the parent is entitled to obtain an annual education plan
25 pursuant to this subdivision to determine whether the qualified student
26 meets the eligibility criteria prescribed in the annual education plan.~~

~~27 (iii) A list of independent evaluation teams that meet the minimum
28 qualifications prescribed by the department pursuant to this subdivision.~~

~~29 (o) COSTS ASSOCIATED WITH EVALUATIONS THAT ARE CONDUCTED PURSUANT
30 TO SECTION 15-2403, SUBSECTION I.~~

31 5. Not file an affidavit of intent to homeschool pursuant to
32 section 15-802, subsection B, paragraph 2 or 3.

33 6. Not use monies deposited in the qualified student's account for
34 any of the following:

35 (a) Computer hardware or other technological devices.

36 (b) Transportation of the pupil.

37 (c) Consumable educational supplies, including paper, pens or
38 markers.

39 C. In exchange for the parent's agreement pursuant to subsection B
40 of this section, the department shall transfer from the monies that would
41 otherwise be allocated to a recipient's prior school district, or if the
42 child is currently eligible to attend kindergarten, the monies that the
43 department determines would otherwise be allocated to a recipient's
44 expected school district of attendance, to the treasurer for deposit into
45 an Arizona empowerment scholarship account an amount that is equivalent to

1 ninety percent of the sum of the base support level and additional
2 assistance prescribed in sections 15-185 and 15-943 for that particular
3 student if that student were attending a charter school. The department
4 may retain up to five percent of the sum of the base support level and
5 additional assistance prescribed in sections 15-185 and 15-943 for each
6 student with an empowerment scholarship account for deposit in the
7 department of education empowerment scholarship account fund established
8 in subsection D of this section, out of which the department shall
9 transfer one percent of the sum of the base support level and additional
10 assistance prescribed in sections 15-185 and 15-943 for each student with
11 an empowerment scholarship account to the state treasurer for deposit in
12 the state treasurer empowerment scholarship account fund established in
13 subsection E of this section.

14 D. The department of education empowerment scholarship account fund
15 is established consisting of monies retained by the department pursuant to
16 subsection C of this section. The department shall administer the fund.
17 Monies in the fund are subject to legislative appropriation. Monies in
18 the fund shall be used for the department's costs in administering
19 empowerment scholarship accounts under this chapter. Monies in the fund
20 are exempt from the provisions of section 35-190 relating to lapsing of
21 appropriations. If the number of empowerment scholarship accounts
22 significantly increases after fiscal year 2012-2013, the department may
23 request an increase in the amount appropriated to the fund in any
24 subsequent fiscal year in the budget estimate submitted pursuant to
25 section 35-113.

26 E. The state treasurer empowerment scholarship account fund is
27 established consisting of monies transferred by the department to the
28 state treasurer pursuant to subsection C of this section. The state
29 treasurer shall administer the fund. Monies in the fund shall be used for
30 the state treasurer's costs in administering the empowerment scholarship
31 accounts under this chapter. If the number of empowerment scholarship
32 accounts significantly increases after fiscal year 2013-2014, the state
33 treasurer may request an increase in the amount appropriated to the fund
34 in any subsequent fiscal year in the budget estimate submitted pursuant to
35 section 35-113. Monies in the fund are subject to legislative
36 appropriation. Monies in the fund are exempt from the provisions of
37 section 35-190 relating to lapsing of appropriations.

38 F. A parent must renew the qualified student's empowerment
39 scholarship account on an annual basis. ~~Notwithstanding any changes to~~
40 ~~the student's multidisciplinary evaluation team plan,~~ A student who has
41 previously qualified for an empowerment scholarship account shall remain
42 eligible to apply for renewal until the student ~~finishes~~ GRADUATES FROM
43 high school, OBTAINS A GENERAL EQUIVALENCY DIPLOMA OR REACHES TWENTY-TWO
44 YEARS OF AGE IF THE STUDENT CONTINUES TO ATTEND AND BE ENROLLED IN A
45 QUALIFIED SCHOOL. THE DEPARTMENT MAY REQUEST CONFIRMATION OF A QUALIFIED

1 STUDENT'S PROGRESS TOWARD GRADUATION FROM HIGH SCHOOL OR THE COMPLETION OF
2 A GENERAL EQUIVALENCY DIPLOMA.

3 G. A signed agreement under this section constitutes school
4 attendance required by section 15-802.

5 H. A qualified school or a provider of services purchased pursuant
6 to subsection B, paragraph 4 of this section may not share, refund or
7 rebate any Arizona empowerment scholarship account monies with the parent
8 or qualified student in any manner.

9 I. On the qualified student's graduation from a postsecondary
10 institution or after any period of four consecutive years after high
11 school graduation in which the student is not enrolled in an eligible
12 postsecondary institution, the qualified student's Arizona empowerment
13 scholarship account shall be closed and any remaining funds shall be
14 returned to the state.

15 J. Monies received pursuant to this article do not constitute
16 taxable income to the parent of the qualified student.

17 K. THE DEPARTMENT SHALL ALLOW AN APPLICANT FOR AN EMPOWERMENT
18 SCHOLARSHIP ACCOUNT TO IDENTIFY ALL POTENTIALLY APPLICABLE ENROLLMENT
19 ELIGIBILITY CRITERIA DURING THE APPLICATION PROCESS AND MAY NOT RESTRICT
20 THE APPLICANT TO THE IDENTIFICATION OF A SINGLE ENROLLMENT ELIGIBILITY
21 CRITERION.

22 Sec. 3. Section 15-2403, Arizona Revised Statutes, is amended to
23 read:

24 15-2403. Empowerment scholarship accounts; administration;
25 audit; policy handbook

26 A. The treasurer ~~may~~ AND THE DEPARTMENT OF EDUCATION SHALL contract
27 with private financial management firms to manage Arizona empowerment
28 scholarship accounts.

29 B. The department shall conduct or contract for annual audits of
30 empowerment scholarship accounts to ensure compliance with section
31 15-2402, subsection B, paragraph 4. The department shall also conduct or
32 contract for random, quarterly and annual audits of empowerment
33 scholarship accounts as needed to ensure compliance with section 15-2402,
34 subsection B, paragraph 4.

35 C. The department may remove any parent or qualified student from
36 eligibility for an Arizona empowerment scholarship account if the parent
37 or qualified student fails to comply with the terms of the contract or
38 applicable laws, rules or orders or knowingly misuses monies or knowingly
39 fails to comply with the terms of the contract with intent to defraud and
40 shall notify the treasurer. The department shall notify the treasurer to
41 suspend the account of a parent or qualified student and shall notify the
42 parent or qualified student in writing that the account has been suspended
43 and that no further transactions will be allowed or disbursements made.
44 The notification shall specify the reason for the suspension and state
45 that the parent or qualified student has ten days, not including weekends,

1 to respond and take corrective action. If the parent or qualified student
2 refuses or fails to contact the department, furnish any information or
3 make any report that may be required for reinstatement within the ten-day
4 period, the department may remove the parent or qualified student pursuant
5 to this subsection.

6 D. A parent may appeal ~~the department's~~ ANY ADMINISTRATIVE decision
7 MADE BY THE DEPARTMENT PURSUANT TO THIS ARTICLE, INCLUDING DECISIONS
8 REGARDING ENROLLMENT ELIGIBILITY, pursuant to title 41, chapter 6,
9 article 10. THE DEPARTMENT SHALL NOTIFY THE PARENT OF THE PARENT'S
10 ABILITY TO APPEAL ANY ADMINISTRATIVE DECISION AT THE SAME TIME THE PARENT
11 IS NOTIFIED OF ANY ADMINISTRATIVE DECISION.

12 E. The department may refer cases of substantial misuse of monies
13 to the attorney general for the purpose of collection or for the purpose
14 of a criminal investigation if the department obtains evidence of
15 fraudulent use of an account.

16 F. The department shall make quarterly transfers of the amount
17 calculated pursuant to section 15-2402, subsection C to the treasurer for
18 deposit into the empowerment scholarship account of each qualified
19 student, except the department may make transfers according to another
20 transfer schedule if the department determines a transfer schedule other
21 than quarterly transfers is necessary for the operation of the empowerment
22 scholarship account. THE DEPARTMENT SHALL DEPOSIT MONIES INTO THE
23 EMPOWERMENT SCHOLARSHIP ACCOUNT IMMEDIATELY OR, IF NECESSARY, SHALL
24 DEPOSIT RETROACTIVELY PRORATED MONIES AT THE TIME THE PARENT AGREES TO THE
25 TERMS AND CONDITIONS PRESCRIBED IN SECTION 15-2402. THE DEPARTMENT MAY
26 NOT DELAY THE DEPOSIT OF MONIES INTO AN EMPOWERMENT SCHOLARSHIP ACCOUNT
27 UNTIL A SUBSEQUENT QUARTER.

28 G. The department shall accept applications between July 1 and June
29 30 of each year. The department shall enroll and issue an award letter ~~to~~
30 ~~eligible applicants~~ within ~~forty-five~~ THIRTY days after receipt of a
31 completed application and all required documentation. IF THE DEPARTMENT
32 DETERMINES THAT AN APPLICANT IS INELIGIBLE FOR AN EMPOWERMENT SCHOLARSHIP
33 ACCOUNT BECAUSE THE APPLICANT DOES NOT MEET THE REQUIREMENTS PRESCRIBED
34 FOR AN ELIGIBLE STUDENT, THE DEPARTMENT SHALL NOTIFY THE APPLICANT OF THE
35 SPECIFIC STATUTORY DEFICIENCIES OF THE APPLICATION AND THE RATIONALE FOR
36 THE DENIAL OF THE APPLICATION. On or before May 30 of each year, the
37 department shall furnish to the joint legislative budget committee an
38 estimate of the amount required to fund empowerment scholarship accounts
39 for the following fiscal year. The department shall include in its budget
40 request for the following fiscal year the amount estimated in section
41 15-2402, subsection C for each qualified student.

42 H. The department may adopt ~~rules and~~ policies AND PROCEDURES
43 necessary for the administration of empowerment scholarship accounts. THE
44 POLICIES AND PROCEDURES ADOPTED PURSUANT TO THIS SUBSECTION SHALL BE

1 DEVELOPED AND IMPLEMENTED PURSUANT TO THE INTENT OF THE LAW AND BY GIVING
2 STUDENTS THE MOST EDUCATIONAL OPTIONS AVAILABLE UNDER THE LAW, including:

3 1. Policies for conducting or contracting for examinations of the
4 use of account monies.

5 2. Conducting or contracting for random, quarterly and annual
6 reviews of accounts.

7 3. Establishing or contracting for the establishment of an online
8 anonymous fraud reporting service.

9 4. Establishing an anonymous telephone hotline for fraud reporting.

10 5. Policies that require a surety bond or insurance for account
11 holders.

12 6. POLICIES THAT ESTABLISH EXPENSE REPORTING, ELIGIBLE EXPENSES AND
13 APPLICATION PROCEDURES. THE POLICIES REGARDING ELIGIBLE EXPENSES MAY NOT
14 RESTRICT THE TYPES OR AMOUNT OF CURRICULUM CHOICES MADE BY PARENTS FOR
15 STUDENTS.

16 I. The department shall contract with an independent third party
17 for the purposes of determining ~~if~~ WHETHER a qualified student is eligible
18 to receive educational therapies or services pursuant to section 15-2402,
19 subsection B, paragraph 4, subdivision (c).

20 J. THE DEPARTMENT SHALL DEVELOP AND PUBLISH A POLICY HANDBOOK ON OR
21 BEFORE JULY 1 OF EACH YEAR. THE POLICY HANDBOOK SHALL INCLUDE INFORMATION
22 PERTAINING TO ALL POLICIES ADOPTED BY THE DEPARTMENT TO ADMINISTER
23 EMPOWERMENT SCHOLARSHIP ACCOUNTS. ONLY POLICIES THAT ARE INCLUDED IN THE
24 HANDBOOK MAY BE ADMINISTERED. THE DEPARTMENT MAY NOT PUBLISH THE POLICY
25 HANDBOOK, MAKE ANY REVISIONS OR ENFORCE ANY NEW POLICY OR PROCEDURE BEFORE
26 THE COMPLETION OF BOTH OF THE FOLLOWING:

27 1. THE COLLECTION OF PUBLIC COMMENTS FOR AT LEAST SIXTY DAYS. THE
28 DEPARTMENT SHALL CONSIDER AND REASONABLY INCORPORATE THESE PUBLIC COMMENTS
29 IN THE POLICY HANDBOOK.

30 2. THE SUBMISSION OF A COPY OF THE POLICY HANDBOOK AND ANY
31 REVISIONS OF THE POLICY HANDBOOK TO THE GOVERNOR, THE PRESIDENT OF THE
32 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

33 K. THE DEPARTMENT SHALL POST ON THE DEPARTMENT'S WEBSITE
34 INFORMATION AND DATA THAT ARE UPDATED MONTHLY REGARDING THE EMPOWERMENT
35 SCHOLARSHIP ACCOUNTS AND THAT INCLUDE:

36 1. INFORMATION REGARDING ALL PURCHASES AND EXPENDITURES MADE WITH
37 EMPOWERMENT SCHOLARSHIP ACCOUNT MONIES. THE INFORMATION INCLUDED PURSUANT
38 TO THIS PARAGRAPH MAY NOT VIOLATE THE PERSONAL PRIVACY OF ANY STUDENT OR
39 FAMILY AND SHALL INCLUDE ONLY AGGREGATE DATA.

40 2. THE NUMBER OF ENROLLED STUDENTS DISAGGREGATED BY ELIGIBILITY.

41 3. ANY OTHER INFORMATION OR DATA THAT MAY BE PERTINENT TO PROMOTING
42 TRANSPARENCY AND ACCOUNTABILITY OF THE EMPOWERMENT SCHOLARSHIP ACCOUNTS.

- 1 2. Make recommendations to the legislature for changes to the laws
2 regarding empowerment scholarship accounts.
- 3 3. Review and approve any contracts entered into for the financial
4 management or administration of empowerment scholarship accounts.
- 5 4. Review and approve any changes to the empowerment scholarship
6 accounts policy handbook pursuant to section 15-2403, Arizona Revised
7 Statutes, as amended by this act.
- 8 5. Submit a report regarding the council's activities and
9 recommendations on or before December 15 of each year to the governor, the
10 president of the senate and the speaker of the house of representatives
11 and provide a copy of this report to the secretary of state.
- 12 E. The department of education shall provide technical assistance
13 to the empowerment scholarship account review council.
- 14 F. This section is repealed from and after December 31, 2020.
- 15 Sec. 6. Retroactivity
- 16 Section 15-2402, subsection F, Arizona Revised Statutes, as amended
17 by this act, applies retroactively to from and after January 1, 2015.